

**General Plan Update  
Interest Group Meeting Minutes  
May 1, 2009**

**Professional Organizations**

Laurie Fischer	American Institute of Architects
Brooke Peterson	American Planning Association
Tracy Morgan Hollingworth	American Society of Landscape Architects

**Environmental Interest**

George Courser	Back Country Coalition
Diane Coombs	Citizen Coordinate for Century 3
Carolyn Chase	SD Coalition for Transportation Choices
Dan Silver	Endangered Habitat League
Jim Peugh	San Diego Audubon

**Building and Private Land Interest**

Jim Whalen	Alliance for Habitat Conservation
Matt Adams	Building Industry Association
Bruce Tabb	Environmental Development
Chris Anderson	San Diego Association of Realtors
Dave Shibley	Save Our Land Values

**Farm Bureau**

Al Stehly	Farm Bureau
-----------	-------------

**Public at Large**

Doug Paul  
Rich Volker  
Bruce Warren  
Jessica Hansen  
Jon Rilling  
Karla Cohn

**County Staff:**

Devon Muto (DPLU)  
Joe Farace (DPLU)  
Bob Citrano(DPLU)  
Jimmy Wong (DPLU)  
Eric Lardy (DPLU)  
Claudia Anzures (County Counsel)

## **Agenda Item I: Introductions**

Mr. Muto began the meeting with introductions of staff and Interest Group (IG) members.

Mr. Muto provided a brief update on the latest accomplishments of DPLU, these included:

- Zoning Ordinance amendment for accessory dwelling units was adopted by the Board of Supervisors (BOS), and will go into effect May 22, 2009.
- Zoning Ordinance updates to Farm Employee Housing and the Landscape Ordinance are currently undergoing public review.
- A proposed update to the Public Road Standards was presented to the Planning Commission (PC) on May 8<sup>th</sup> and as a result of the meeting, a PC Subcommittee was formed to review possible additional changes to the Standards to make them more context sensitive. Those interested in participating in the process should contact Devon Muto or Joe Farace.

Mr. Muto also explained that staff continues to prepare the revised General Plan, Draft EIR, revised Community Plans and the draft Implementation Plan to release these documents for public review. Mr. Muto also explained that staff will be presenting a progress report to the Board of Supervisors (5/13/2009) and Planning Commission (5/8/2009), a copy of the reports are available on the General Plan Update website.

Mr. Muto briefly went over the key issues presented in the PC and BOS progress reports which included:

- Role of community character
- Proposed density decreases (Down Zoning)
- Senate Bill 375
- Linkage to the County's Strategic Plan

Mr. Muto further stated that there has been much recent speculation about SB 375, and he reassured the group that he has not seen anything regarding SB 375 that would undermine or require a change to the General Plan Update (GPU). Mr. Muto stated that he will continue to update the IG on the outcome of SB 375 as the process to implement it evolves. Mr. Muto also stated that SANDAG is planning several workshops regarding SB 375 and they will be open to the public.

Ms. Coombs expressed her concerns regarding SB 375 and requested that a presentation be given to the group on how the GPU addresses Global Climate Change.

Mr. Muto agreed but stated he felt a better time would be after staff was complete with the Draft EIR which would be sometime during the July/August 2009 timeframe.

Mr. Shibley asked if there would be another public review phase after this upcoming review in July 2009. Mr. Muto stated that it is difficult to say, but at a minimum a report will be prepared for the BOS and PC.

Ms. Chase asked about the status of the interim County Guidelines for Determining Significance for Global Climate Change. Devon stated that the Guidelines are interim because the State is coming out with new guidelines and staff is currently waiting to see what the State guidelines will contain.

Ms. Chase asked what climate change guidelines are being used for the Draft EIR. Mr. Muto responded that the GPU is going to have a substantial amount of green house gas (GHG) due to future development, and because of this staff looks at regional programs such as AB 32 as guidelines for determining significance. Mr. Muto clarified that the Interim thresholds were designed for specific projects such as subdivisions and major use permits.

Mr. Muto stated that staff is currently developing a GHG inventory that analyzes government operations and community wide emissions. He explained that staff will be looking at what reductions need to be put in place to bring the County green house gas emission levels back down to 1990 levels by 2020 which is required by AB 32 require.

Mr. Muto stated that the unincorporated County remains an auto dependent region because there is no mass public transportation system. He explained staff is looking at alternative programs to help offset GHG emissions.

Mr. Peugh asked if there would be a land use alternative presented in the EIR to address AB 32. Mr. Muto responded that, although not specific to AB 32, an Environmentally Superior Alternative is included, in accordance with state law, which requires staff to analyze a reasonable range of alternatives.

Mr. Whalen asked, hypothetically, if in the future, vehicles produced no GHGs how would that effect the GPU. Mr. Muto stated that there is a lot more going into the GPU than reductions in vehicle miles traveled, but he believes this is an issue that staff should look into when the technology becomes available.

## **Agenda Item II: Approval of Minutes [Action Item]**

Mr. Whalen commented on page 2 regarding Mr. Courser's request to see a revised version of the GP before the release of the Draft EIR. Mr. Muto responded that the revised Draft General Plan will not be available until the release of the EIR.

Mr. Whalen commented that he was concerned that the communities would be allowed to opt out of the Conservation Subdivision Program (CSP), and commented that a joint meeting between the Steering Committee (SC) and IG would be beneficial.

Ms. Hollingworth asked if there would be an action item on supporting the CSP at this meeting. Mr. Muto responded that this meeting was intended to introduce the proposed program, but if the IG would like to formally vote on a position they would be welcomed to.

Mr. Shibley stated that he was concerned with the community's ability to opt out of the program, and further explained that the proposed program is just another tool as an option.

Mr. Whalen motioned to approve the meeting minutes, Mr. Shibley seconded the motion. The IG voted to approve the meeting minutes from January 30<sup>th</sup>, 2009, (12-0). Mr. Peugh and Ms. Anderson abstained.

Mr. Whalen stated that it is possible to reconcile the differences the positions on the CSP between the communities, developers, and environmental interests as long as people are honest. Mr. Whalen further explained that the communities are afraid of things regarding the program that are not true.

Mr. Shibley expressed his concern of not being able to make edits to the revised Draft General Plan once it has been released for public review in July. Mr. Muto stated that additional changes to the General Plan are possible in the future.

Mr. Whalen stated that it was not fair for staff to carry the load, and that the BOS should provide more specific direction on the proposed program.

Mr. Muto stated that he will present the idea of a joint meeting at the upcoming SC meeting (5/31), and will get back to the IG on their response.

Mr. Whalen stated that in previous SC minutes, the committee has already rejected the idea of a joint meeting. Mr. Muto stated that he cannot force a joint meeting between the two advisory groups. Mr. Whalen stated that if the joint meeting occurs it will need to be setup appropriately. Mr. Muto agreed, and stated that the meeting would need to be beneficial to the program.

Mr. Silver stated that he was in favor of a joint meeting.

Ms. Chase stated that avoiding the issue does not solve the problem, and that it would be better to work thru the conflict to gain some sort of consensus.

Mr. Stehly stated that the he has seen the comments from the SC, and the disagreement seems very clear to him.

Mr. Muto said after listening to concerns of both groups regarding the CSP he believes staff has proposed a good program that both advisory groups can support. He further explained that this program has been discussed for a number of years, and that the CSP is nearing completion.

Ms. Hollingworth asked if staff could provide a side by side comparison of IG and SC issues which would show the position of the advisory groups. Mr. Muto said yes, this could be a possibility.

### **Agenda Item III: Draft Conservation Subdivision Program (CSP)**

Mr. Muto introduced the draft CSP and attachments including the Rural Design Guidelines. He explained that the Rural Design Guidelines were intended to help small and large developers and also private property owners with an understanding of the County planning process and what type of issues they will need to address up front. Mr. Muto explained that revisions to the Zoning

Ordinance included changes to minimum lot sizes, lot area averaging, and planned residential development (PRD) standards. He further explained that revisions to the Subdivision Ordinance were also made to provide greater flexibility.

Mr. Courser asked what the range of lot sizes were across the County. Mr. Muto stated that there is a large range of lot sizes; he explained that if an applicant can make the findings it can be pretty much any minimum lot size.

Mr. Tabb asked if that applied to the Village or more urban areas because he felt that 6000 square feet lots does not make sense in the Village area because new urban planning guidelines would have lots much smaller than 6000 square feet. Devon stated that the bottom line minimum lot size is 3000 square feet. Mr. Tabb commented that 2500 square feet would be a better solution, but the 3000 square feet minimum is adequate.

Mr. Muto continued his presentation of the attachments and noted that revisions to the Resource Protection Ordinance were made allowing greater flexibility in areas with steep slopes.

Mr. Whalen asked if there were any additional changes to ordinances. Mr. Muto stated that further revisions in the future may occur when the GPU is adopted. Mr. Whalen asked how inconsistencies between conflicting ordinances will be resolved. Mr. Muto responded that the primary inconsistencies between the two ordinances was regarding steep slopes, which should have been reconciled with the edits to the RPO, but requested that the IG inform staff of any other inconsistencies found.

Mr. Tabb wanted clarification that in Semi-Rural 10 and the Rural Lands Regional Category minimum avoidance ratios must be met in order to implement the CSP. Mr. Muto responded that he was correct.

Mr. Silver commented on Page 4, Introduction, that in different scenarios minimum lot sizes would be customized in each of the community plan. He inquired as to how the minimum lot sizes relate to PRDs and lot area averaging. Mr. Muto stated that the section explains the decoupling of lot sizes with the General Plan, which gives provides greater flexibility.

Mr. Silver stated that RL-80 seems to conflict with the CSP, and he would hate to see the PRD's undermine the minimum lot sizes. Mr. Silver recommended revisiting the table. Mr. Muto stated that he would consider revisiting some of the lot sizes.

Ms. Coombs asked how the County brush management program relates to the CSP. Mr. Muto stated that all fuel management for a single family home will be within the lot, so the property owner has the ability to perform clearing, Mr. Muto further explained that in the past, developers have lost total units to achieve fuel management requirements, and the CSP seeks to correct that.

Mr. Peugh asked if wells require brush management. Mr. Muto responded that they do not. Mr. Shibley stated that the only requirement for a well is that it be a minimum of 100 ft from a septic tank to avoid contamination.

Mr. Shibley stated that the intent of the CSP is to recognize the environment before development occurs, which is already required by the County.

Mr. Shibley asked how the chart located on page 3 would work in conjunction with MSCP. Mr. Muto responded that Staff has met with the MSCP team on the proposed program, and if a property is in the Pre-Approved Mitigation Area (PAMA) and is consistent with the CSP, the property would also be consistent with the MSCP.

Mr. Shibley asked about the difference between public open space and private open space. Mr. Muto stated that they are existing components of the PRD program, and staff tried to clarify this more. Mr. Muto further clarified that staff tried to tailor these regulations to what the developments are likely to do in the future.

Mr. Muto wanted to clarify that if you were going to subdivide on the ground today, you would probably not be able to achieve the density allotted by the General Plan, and this proposed program would help achieve the planned density.

Mr. Adams stated that when the process began on the program the ratios for conversation on page 3 were based on the premise that the developers would be agreeable to the more stringent conservation guidelines in return for a set density. Mr. Adams stated that the program has strayed away from the promised density assurances.

Mr. Adams stated that the developers have lost their assurance of density yield because if an applicant wanted to go below the minimum lot size they would need approval from community planning group, which is unlikely because of issues such as compatibility with community character. Mr. Adams stated that he has lost the assurance of density yield, which is why he supported the program originally.

Mr. Muto responded that applicants already have the ability to go below the by-right one acre minimum lot size via lot area averaging or planned residential development. Mr. Muto stated staff will coordinate with the communities in an attempt to reduce the minimum lot sizes when appropriate.

Ms. Anzures stated that the General Plan goals and policies are critical in making the determination of minimum lot sizes, and will help applicants argue for lower lot sizes. Mr. Adams stated that he felt that these were guaranteed originally, and he should not have to argue for the lower minimums.

Mr. Silver stated that he was not sure that all density assurances were lost. Mr. Silver stated that he agreed that the developers should get their unit yield, but he was unsure where exactly the units were being lost.

Mr. Adams stated that we now live in a SB 375 / AB 32 society which means development will focus primarily in the Semi-Rural areas.

Ms. Fischer commented that this program misses the huge opportunity to give back to the communities, by incorporating new technologies such as grey water recycling and other sustainable technologies into the program. Ms. Fischer commented that sustainability is more economical if done on a larger scale. Mr. Muto stated that due to SB 375 and AB 32, subdivisions will need to incorporate new reusable technologies.

Mr. Whalen stated that the most important thing is that MSCP conflicts with the General Plan Update. He then asked under the proposed program what the new proposed minimum lot sizes were. Mr. Muto stated that it can vary depending on whether you can establish adequate findings or not.

Mr. Whalen asked for further clarification on the communities push back on the proposed program. He also commented that staff needs further direction from the BOS on this issue. Mr. Muto responded that the BOS has already provided staff direction. Mr. Muto explained that the BOS adopted a letter of legislative intent stating that the general plan density and lot sizes would be decoupled.

Mr. Whalen asked how conflicts between MSCP and the GPU would be resolved. Mr. Muto stated that if a project is consistent with the General Plan, it will also be consistent with MSCP.

Mr. Whalen stated that he did not realize that staff had coordinated with the MSCP group already, and recommended that a statement explaining this should be included in the BOS Report. .

Mr. Adams asked where the findings were located. Mr. Muto explained that the findings were located in the Attachments.

Mr. Shibley asked where the percentages on Table 3 came from. Mr. Muto explained that the figures originated from staff looking at previous decisions from the SC, IG, and also by examining existing design in the County.

Mr. Adams stated that after looking over findings regarding minimum lot sizes he was concerned with being compatibility with adjacent lots, and believes that this will pose an issue.

Mr. Muto stated that staff believes a project can be compatible with surrounding lots and not match the size and shape, he further clarified that you have to take into account many other factors such as buffering and screening.

Mr. Adams recommended that staff revisit the findings and consider deleting the size reference as this may cause confusion.

## **Agenda Item IV: Public Comment**

Mr. Muto opened up the floor for public comment. No public comment was received. Mr. Muto thanked all attendees and adjourned the meeting at 12:35 pm.

